



**CITY OF MARLBOROUGH
OFFICE OF CITY CLERK
Lisa M. Thomas
140 Main St.
Marlborough, MA 01752
(508) 460-3775 FAX (508) 460-3723**

NOVEMBER 16, 2015

Regular meeting of the City Council held on Monday, NOVEMBER 16, 2015 at 8:00 PM in City Council Chambers, City Hall. City Councilors Present: Clancy, Oram, Ossing, Robey, Elder, Tunnera, Irish and Landers. Absent: Delano. Meeting adjourned at 8:30 PM.

ORDERED: That the Minutes of the City Council meeting NOVEMBER 2, 2015, **FILE**; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance in the amount of \$5,000.00 for the Police Department from Digital Federal Credit Union which will be used to supplement various programs and units within the department; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Federal Emergency Management Grant Acceptance in the amount of \$262,763.08 to reimburse the city for 75% of the snow removal costs related to the 48-hour storm which occurred from January 26, 2015 to January 28, 2015; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Gift Acceptance in the amount of \$5,000.00 for the Fire Department from Digital Federal Credit Union which will be used to invest in some needed information technology upgrades for the department; adopted.

ORDERED: Under authority of MGL Chapter 44, Section 53A, the City Council hereby **APPROVES** the Council on Aging Grant from Executive Office of Elder Affairs in the amount of \$59,880.92 which will be effectively utilized for items such as senior transportation, programming activities, and administrative support; adopted.

ORDERED:

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order, be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:

**AN ACT EXEMPTING CERTAIN POSITIONS
IN THE MARLBOROUGH SCHOOL DEPARTMENT
FROM THE PROVISIONS OF CIVIL SERVICE**

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, all positions in the School Department of the City of Marlborough, classified in the Munclass Manual within the General Administrative, Clerical, and Office Services Group, identified as Occupational Group 0300; within the Manual Labor Group, identified as Occupational Group 3500; within the Food Preparation and Service Group, identified as Occupational Group 7400; and within the Equipment, Facilities and Services Group, identified as Occupational Group 1600, shall be exempt from the provisions of chapter 31 of the General Laws.

SECTION 2. This act shall not impair the civil service status of a person holding a position described in section 1 on the effective date of this act.

SECTION 3. This act shall take effect upon its passage.

APPROVED; adopted.

ORDERED: That the Communication from Assistant City Solicitor, Cynthia Panagore Griffin, re: Decision on the Sign Ordinance Special Permit for Ayoub Engineering, Inc. on behalf of Nouria Energy/Shell Station, 413 Lakeside Avenue, in proper legal, Order No. 15-1006262A, **MOVE TO ITEM 14;** adopted.

ORDERED: That the Application for Site Plan Review from Attorney Bergeron on behalf of Bolton Granger Realty Trust, George Voyiatzis Trustee, for the Atrium Place project at 21-29 South Bolton Street, refer to **URBAN AFFAIRS COMMITTEE;** adopted.

ORDERED: That the Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of NSTAR Gas d/b/a Eversource Energy for approval of its 3-year energy efficiency plan, **FILE;** adopted.

ORDERED: That the Communication from the Department of Public Utilities, re: Notice of Filing and Public Hearing on the Petition of Massachusetts and Nantucket Electric d/b/a National Grid for approval of its 3-year energy efficiency plan., **FILE;** adopted.

ORDERED: That the Minutes, Planning Board, October 5, & October 19, 2015, **FILE;** adopted.

ORDERED: That the Minutes, Cultural Council, November 2, 2015, **FILE**; adopted.

ORDERED: That the following CLAIMS, refer to the **LEGAL DEPARTMENT**; adopted.

- a. Brian Hogan, 40A Frost Road; Derry, NH, pothole or other road defect
- b. Brendaline Willis, 40 Donna Lee Lane; Ashland, MA, pothole or other road defect

Reports of Committees:

THERE WERE NO REPORTS OF COMMITTEE.

Suspension of the Rules requested - granted

ORDERED: That the Communication from the Planning Board regarding acceptance of Lacombe Street Extension as a Public Way, **FILE**; adopted.

Suspension of the Rules requested - granted

ORDERED:

That the Communication from the Planning Board regarding acceptance of DiCenzo as a Public Way, **FILE**; adopted.

ORDERED:

DECISION ON A SPECIAL PERMIT

IN CITY COUNCIL

Special Permit
Nouria Energy/Shell Station
Order No. 15-1006262B

**DECISION ON A SIGN ORDINANCE SPECIAL PERMIT
CITY COUNCIL ORDER NO. 15-1006262**

The City Council of the City of Marlborough hereby **GRANTS** the application for a Sign Ordinance Special Permit to Nouria Energy (the “Applicant”) for the property located at 413 Lakeside Avenue, Marlborough, Massachusetts, as provided in this Decision and subject to the following Procedural Findings and Findings of Facts and Conditions.

FINDINGS OF FACT AND RULING

1. The Applicant is the owner of the property located at 413 Lakeside Ave., Marlborough, Massachusetts, as shown on the Marlborough Assessors Maps as Map 79, Parcel 10A (the "Site").
2. The Applicant seeks a Sign Ordinance Special Permit pursuant to Section 526-13 of the Code of the City of Marlborough, entitled Electronic Message Center Signs and Digital Display Signs (the "EMC and Digital Display Sign Ordinance"), to operate a free-standing sign to include a light emitting diode price sign (the "Sign") at the Site (the "Application").
3. The Sign is 6' wide by 16'-5 1/4" high overall, with a double -faced red light emitting diode price sign which has a display area of approximately 11.2 (5'-2' wide x 2'-2" high) square feet located below an internally-illuminated sign, on an approximately 22'-6" high free-standing pylon sign. The Sign installer is Station Glo of New England Inc. of 4 Noe Pl., Beacon Falls, CT 06403.
4. In connection with the Application, the Applicant has submitted schematic design plans of the Site and signage which plans show the Sign and the location of the Sign on the Site.
5. The Marlborough City Council held a public hearing on the Application on Monday, August 24, 2015.
6. The Applicant, through its representatives, presented testimony at the public hearing detailing the Sign. No individual in attendance at the public hearing spoke in opposition to the Sign.

BASED ON THE ABOVE, THE CITY COUNCIL MAKES THE FOLLOWING FINDINGS AND TAKES THE FOLLOWING ACTIONS

- A. The Applicant has complied with all rules and regulations promulgated by the Marlborough City Council as they pertain to an application for a special permit under the EMC and Digital Display Sign Ordinance.
- B. The City Council finds that the Sign complies with the standards set forth in Section 526-13 B. of the EMC and Digital Display Sign Ordinance.
- C. The City Council finds, pursuant to Section 526-13 B. (16) of the EMC and Digital Display Sign Ordinance, that: all other signage on the Site is in compliance with zoning requirements; the Sign does not create unnecessary visual clutter or constitute signage overload for the lot or surrounding neighborhood or street; the Sign does not substantially block visibility of signs on abutting lots; the Sign does not substantially block solar access of, or the view from, windows of residential dwellings on abutting lots; the proposed illumination is appropriate to the Site and is appropriately located with respect to the character of the surrounding neighborhood; the scale and/or location of the Sign is appropriate; and the dimensions of the Sign comply with the area limitations of the EMC and Digital Display Sign Ordinance.

- D. The City Council, pursuant to its authority under the EMC and Digital Display Sign Ordinance, hereby GRANTS the Applicant a special permit for the Sign, SUBJECT TO THE FOLLOWING CONDITIONS, which conditions shall be binding on the Applicant, its successors and /or assigns:
1. The Sign shall be operated in accordance with the EMC and Digital Display Sign Ordinance of the City of Marlborough. The Sign shall conform to the Sign Ordinance of the City of Marlborough without a request, or need, for a variance.
 2. All plans and other documentation provided by the Applicant as part of the Application, and as amended during the application/hearing process before the City Council and/or the City Council's Urban Affairs Committee, including the plan entitled "Nouria Energy Corporation, Marlborough, MA, 413 Lakeside Avenue, Sheet: Signage Plan SG-1a, prepared by Ayoub Engineering, Engineers & Architects, 414 Benefit Street, Pawtucket, Rhode Island 02861, Revision Date: 10/02/2015," are herein incorporated into and become a part of this Special Permit, and become conditions and requirements of the same, unless otherwise altered by the City Council.

Yea: 8 - Nay: 0 – Absent: 1

Yea: Elder, Tunnera, Irish, Clancy, Landers, Ossing, Oram & Robey

Absent: Delano

ORDERED:

**Acceptance Of Layout Of LaCombe Street As A Public Way
AND
Eminent Domain Order of Taking**

WHEREAS, at a meeting of the City Council of the City of Marlborough held this 16th day of November 2015 it is ordered that the City Council, having determined and adjudicated that the common convenience and necessity require that LaCombe Street, Marlborough, MA, the westerly portion of its length being owned by the City of Marlborough (not including the cul-de-sac terminus) and the easterly portion of its length being a privately owned (including the entirety of the cul-de-sac terminus) all of which is laid out in the location hereinafter described and shown on Exhibit "A" hereto, having complied with all the requirements of law relating thereto, become a public way in the entirety of its length and width from Valley Street up to and including the cul-de-sac terminus, title for which cul-de-sac and title to the drainage easement and flow easements shown on Exhibit "A" having been granted to the City of Marlborough in a Quitclaim Deed from LaCombe Business Center, LLC, with a business address at 58 LaCombe Street, Marlborough MA, said deed to be recorded herewith at the Middlesex South County Registry of Deeds, did on the 16th day of November, 2015 lay out such way under provision of law and it was voted following the report of said layout, to accept such way as laid out, effective upon recording of the taking by eminent domain herein; and at the same time;

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience, public welfare, and necessity require that the fee interest in the private portion of the length of LaCombe Street, being the easterly portion of said way as shown on Exhibit "A" hereto, the layout of said way having been accepted by the City Council as described herein, be taken for the purposes of a public way and for each and every municipal purposes including without limitation the repair, construction, maintenance, replacement, operation, alteration, removal, and improvement of public utilities and appurtenant structures, paving, curbs, sidewalks, fixtures, and appurtenant structures, and equipment located in, on, under, and through said way;

WHEREAS, the City Council of the City of Marlborough has determined that the public welfare, safety, and common convenience require that legal interests in certain portions of land located on LaCombe Street as more particularly described herein be taken for said municipal purposes, and for other municipal purposes, and that the taking by Eminent Domain is reasonable and necessary to carry out the aforementioned purposes; and,

WHEREAS, in order to promote the public welfare, safety, common convenience, and necessity, it is necessary to take by Eminent Domain the fee interests in the land for the purposes described herein; and,

WHEREAS, all preliminary requirements of Massachusetts General Laws Chapter 79 having been complied with;

NOW, THEREFORE, IT IS HEREBY ORDERED that the City Council of the City of Marlborough, acting in accordance with the power and authority conferred by the City Charter, Division 1, Section 30, Massachusetts General Laws, Chapter 79 and every power and authority thereto enabling, and in the exercise of the power and authority conferred by said laws, does hereby take by Eminent Domain the fee simple interest in the following described land, including all trees and other vegetation thereon.

DESCRIPTION OF LAND TAKEN

1. Street address: 48 Valley Street, Marlborough, MA 01752

Being a 2,566 S.F. portion of the property located at 48 Valley Street, Marlborough, MA, said property also known and numbered as Map 82, Parcel 50 on the Assessors' Map of the City of Marlborough, which 2,566 S.F. portion consists of 660 S.F. of vegetated area on LaCombe Street and 1,906 S.F. of paved area of LaCombe Street as shown on Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40"; March 25, 2014," said plan to be recorded herewith.

OWNER: Elizabeth D.S. Costa
48 Valley Street
Marlborough, MA

**2. Street Address: LaCombe Street, Marlborough, MA 01752
(being a separate parcel of 7 Brook Street)**

Being a 1,150 S.F. portion of the property located on LaCombe Street, said property also known and numbered as Map 82, Parcel 48 on the Assessors' Map of the City of Marlborough, which 1,150 S.F. portion consists of 255 S.F. vegetated area on LaCombe Street and 895 S.F. of paved area of LaCombe Street as shown on Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40"; March 25, 2014," said plan to be recorded herewith.

OWNER: Foggy Style LLC
6 Angelica Drive
Southborough, MA 01772

3. Street Address: 11 Brook Street, Marlborough, MA 01752

Being a 1,149 S.F. portion of the property located at 11 Brook Street, Marlborough, MA, said property also known and numbered as Map 82, Parcel 47 on the Assessors' Map of the City of Marlborough, which 1,149 S.F. portion consists of 250 S.F. of vegetated area on LaCombe Street and 899 S.F. of paved area of LaCombe Street as shown on Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40"; March 25, 2014," said plan to be recorded herewith.

OWNERS: Hersson Villatoro & Sandra Villatoro
11 Brook Street
Marlborough, MA 01752

4. Street Address: LaCombe Street, Marlborough, MA 01752

Being a 2,304 S.F. portion of the property located on LaCombe Street, said property also known and numbered as Map 82, Parcel 45 on the Assessors' Map of the City of Marlborough, which 2,304 S.F. portion consists of 515 S.F. of vegetated area on LaCombe Street and 1,789 S.F. of paved area of LaCombe Street as shown Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40"; March 25, 2014," said plan to be recorded herewith.

OWNER: Barbara Lizotte, Trustee, Lizotte Trust, its heirs, assigns
or beneficiaries
46 Westlook Lane
Westport, MA 02790

5. Street Address: 23 Brook Street, Marlborough, MA 01752

Being a 1,426 S.F. portion of the property located at 23 Brook Street, Marlborough, MA, said property also known and numbered as Map 82, Parcel 56 on the Assessors' Map of the City of Marlborough, which 1,426 S.F. portion consists of 370 S.F. of vegetated area on LaCombe Street and 1,056 S.F. of paved area of LaCombe Street as shown on Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40'; March 25, 2014," said plan to be recorded herewith.

OWNERS: Francis Cannavino & Celia R. Cannavino
9 Dunster Avenue
Wayland, MA 01778

6. Street Address: 27 Brook Street, Marlborough, MA 01752

Being a 897 S.F. portion of 27 Brook Street, Marlborough, MA, said property also known and numbered as Map 82, Parcel 44A on the Assessors' Map of the City of Marlborough, which 897 S.F. portion consists of 230 S.F. of vegetated area on LaCombe Street and 667 S.F. of paved area of LaCombe Street as shown on Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40'; March 25, 2014," said plan to be recorded herewith.

OWNERS: Silas Evangelista & Dinalva Evangelista
27 Brook Street
Marlborough, MA 01752

7. Street Address: 31 Brook Street, Marlborough, MA 01752

Being a 1,127 S.F. portion of the property at 31 Brook Street, Marlborough, MA, said property also known and numbered as Map 82, Parcel 44 on the Assessors' Map of the City of Marlborough, which 1,127 S.F. portion consists of 305 S.F. of vegetated area on LaCombe Street and 822 S.F. of paved area of LaCombe Street as shown on Exhibit "A" hereto, being a plan entitled "Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County); Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1"=40'; March 25, 2014," said plan to be recorded herewith.

OWNERS: Philip L. Bancroft & Raeanne T. Bancroft
31 Brook Street
Marlborough, MA 01752

8. Street Address: 35 Brook Street, Marlborough, MA 01752

Being a 3,617 S.F. portion of the property at 35 Brook Street, Marlborough, MA, said property also known and numbered as Map 82, Parcel 43 on the Assessors’ Map of the City of Marlborough, which 3,617 S.F. portion consists of 1,040 S.F. vegetated area on LaCombe Street and 2,577 S.F. of paved area of LaCombe Street as shown on Exhibit “A”, being a plan entitled “Plan Of Acceptance Of LaCombe Street; Marlborough, Massachusetts (Middlesex County) Engineering and Design Consultants, Inc., 32 Turnpike Road, Route 9, Southborough, MA 01772; Scale 1”=40’; March 25, 2014,” said plan to be recorded herewith.

OWNER: Walter Demoorjian, Trustee, Demoorjian Family Trust
 35 Brook Street
 Marlborough, MA 01752

AWARDS

The City Council hereby makes the following awards for damages for the owner or owners of record:

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS’ MAP/PARCEL</u>	<u>AREA COMPONENTS (TOTAL AREA)</u>	<u>AWARD</u>
Elizabete D.S. Costa 48 Valley Street Marlborough, MA	82/50	660 S.F. vegetated area 1,906 S.F. paved area (2,566 S.F.)	\$3,960
Foggy Style LLC 6 Angelica Drive Southborough, MA 01772	82/48	255 S.F. vegetated area 895 S.F. paved area (1,150 S.F.)	\$1,275
Hersson Villatoro & Sandra Villatoro 11 Brook Street Marlborough, MA 01752	82/47	250 S.F. vegetated area 899 S.F. paved area (1,149 S.F.)	\$0
Barbara Lizotte, Trustee, Lizotte Trust (its heirs, assigns or beneficiaries) 46 Westlook Lane Westport, MA 02790	82/45	515 S.F. vegetated area 1,789 S.F. paved area (2,304 S.F.)	\$386
Francis Cannavino & Celia R. Cannavino 9 Dunster Avenue Wayland, MA 01778	82/56	370 S.F. vegetated area 1,056 S.F. paved area (1,426 S.F.)	\$1,850
Silas Evangelista & Dinalva Evangelista 27 Brook Street Marlborough, MA 01752	82/44A	230 S.F. vegetated area 667 S.F. paved area (897 S.F.)	\$0

<u>OWNERS</u>	<u>MARLBOROUGH ASSESSORS' MAP/PARCEL</u>	<u>AREA COMPONENTS (TOTAL AREA)</u>	<u>AWARD</u>
Philip L. Bancroft & Raeanne T. Bancroft 31 Brook Street Marlborough, MA 01752	82/44	305 S.F. vegetated area 822 S.F. paved area (1,127 S.F.)	\$0
Walter Demoorjian, Trustee, Demoorjian Family Trust 35 Brook Street Marlborough, MA 01752	82/43	1,040 S.F. vegetated area 2,577 S.F. paved area (3,617 S.F.)	\$0

Yea: 8 - Nay: 0 – Absent: 1

**Yea: Elder, Tunnera, Irish, Clancy, Landers, Ossing, Oram & Robey
Absent: Delano**

APPROVED; adopted.

ORDERED:

That a petition to the General Court, accompanied by a bill for a special law relating to the city of Marlborough to be filed with an attested copy of this order be, and hereby is, approved under Clause (1) of Section 8 of Article 2, as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only:-

AN ACT AUTHORIZING THE DIVISION OF CAPITAL ASSET
MANAGEMENT AND MAINTENANCE TO CONVEY PERMANENT
EASEMENTS IN LAND ORIGINALLY ACQUIRED FOR WATER
QUALITY PROTECTION FOR THE SUDBURY RESERVOIR IN THE
CITY OF MARLBOROUGH.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. The commissioner of capital asset management and maintenance, in consultation with the metropolitan district commission, may, notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws, convey by deed to the city of Marlborough a permanent easement in a certain parcel of land containing approximately 1,006.13 square feet, located in the city of Marlborough and shown as Proposed Easement 1 on a plan of land entitled "Easement Plan of Land in Marlborough, Massachusetts" prepared by Thomas DiPersio Jr. & Associates, Inc., dated September 4, 2015, to be recorded with the Middlesex County South Registry of Deeds, for the purposes of the construction, maintenance, and repair or replacement of pedestrian improvements and a municipal water line, subject to such terms and conditions as the commissioner may prescribe. The parcels described in this section and sections 2 and 3 inclusive are currently used for conservation purposes.

SECTION 2. The commissioner of capital asset management and maintenance, in consultation with the metropolitan district commission, may, notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws, convey by deed to the city of Marlborough a permanent easement in a certain parcel of land containing approximately 6,611.26 square feet, located in the city of Marlborough and shown as Proposed Easement 2 on a plan of land entitled "Easement Plan of Land in Marlborough, Massachusetts" prepared by Thomas DiPersio Jr. & Associates, Inc., dated September 4, 2015, to be recorded with the Middlesex County South Registry of Deeds, for the purposes of construction, maintenance, and repair or replacement of pedestrian improvements and a municipal water line, subject to such terms and conditions as the commissioner may prescribe.

SECTION 3. The commissioner of capital asset management and maintenance, in consultation with the metropolitan district commission, may, notwithstanding sections 32 to 38, inclusive, of chapter 7C of the General Laws, convey by deed to the city of Marlborough a permanent easement in a certain parcel of land containing approximately 2,634 square feet, located in the city of Marlborough and shown as Parcel No. E-9 on a plan of land entitled "Right-of-Way Plans Farm Road in the city of Marlborough, Middlesex County" prepared by Vanasse Hangen Brustlin, Inc., dated October 14, 2014, recorded with the Middlesex County South Registry of Deeds as sheet 7 of Plan 458 of 2015, for the purpose of construction, maintenance, and repair or replacement of drainage improvements, subject to such terms and conditions as the commissioner may prescribe.

SECTION 4. The transfers pursuant to section 1, 2 and 3 inclusive, shall be made only if the city of Marlborough acting by and through its city council and mayor, shall convey to the commonwealth for use by the metropolitan district commission or place under conservation restriction a certain parcel of land located in said city and within the watershed of the Sudbury Reservoir. Said parcel shall contain an area greater than or equal to the total area of that land conveyed to the city under sections 1, 2 and 3 subject to such terms and conditions as the city through its mayor and city council may prescribe.

SECTION 5. The city of Marlborough shall be responsible for any costs for appraisals, surveys and other expenses relating to the transfer of the property, or for any costs and liabilities of any nature and kind for its development, maintenance or operation. In the event any or all of said parcels of land cease to be used at any time for the purposes contained herein, said parcel of land shall be subject to the provisions of chapter 7C of the General Laws, and any further disposition shall require the approval of the general court.

SECTION 6. The commissioner of capital asset management and maintenance shall 30 days before the execution of any agreement authorized by this act, or any subsequent amendment thereof, submit the agreement or amendment and a report thereon to the inspector general for his review and comment. Said inspector general shall issue his review and comment within 15 days of receipt of any agreement or amendment. Said commissioner shall submit the agreement and any subsequent amendments thereof, the reports, and the comments of said inspector general, if any, to the house and senate committees on ways and means and the chairman on the joint committee on state administration at least 15 days prior to execution.

APPROVED; adopted.

The Order was Approved by a HAND VOTE of 8-0. In favor were: Councilors Elder, Tunnera, Irish, Clancy, Landers, Ossing, Oram & Robey. Councilor Delano was absent.

ORDERED:

WHEREAS, in the opinion of the City Council of the City of Marlborough, the common convenience and necessity require that DICENZO BOULEVARD be accepted as a public way

beginning at station 1+36.01 (being the westerly intersection with BOSTON POST ROAD – EAST at station 66+30.07 – 1928 Alteration of the State Layout) and ending at station 46+76.78 (being the easterly intersection with BOSTON POST ROAD – EAST at station 45+12.99 – 1928 Alteration of the State Layout)

and that its appurtenant easements be accepted as municipal easements, all as shown on plans thereof and as hereinafter described:

DESCRIPTION

Plan entitled, “Acceptance Plan of Dicenso Boulevard and Easements” (7 sheets), Stamped: January 6, 2015; Scale: 1" = 150'; Owner: Indian Development Corp., 290 Eliot Street, Ashland, MA 01721; To Be Deeded To: City of Marlborough, 140 Main Street, Marlborough, MA 01752; prepared by: Guerriere & Halnon, Inc., 333 West Street, Milford, MA 01757, which plan is to be recorded herewith.

Title to the roadway known as DICENZO BOULEVARD, and title to all the municipal easements, including 10-Foot Wide Pedestrian Easement, Walking Path Easement, Sewer Easement 1, 30-Foot Wide Utility Easement 1, Access Easement 1, 30 Foot Wide Utility & Access Easement 1, Flowage Easement 1, Flowage & Access Easement 2, Flowage Easement 3, and Drain Easements 1 through 5, have been granted to the City of Marlborough in a quitclaim deed from Indian Development Corp., Richard E. Terrill, Controller, recorded herewith.

IT IS THEREFORE ORDERED THAT:

DICENZO BOULEVARD be accepted as a public way, and its appurtenant easements be accepted as municipal easements, in the City of Marlborough.

APPROVED; adopted.

ORDERED: That the Petition of NGrid to place new solely owned pole 59-80 to be set approximately 40' north of existing pole 59 to serve new UG services for traffic camera to be installed between 495 North & 495 South, **APPROVED**; adopted.

Councilor Elder requested to be recorded in opposition.

ORDERED: That the Petition from Verizon New England Inc. to place two 4" conduits on the northeasterly side of Ames St. beginning at Pole T.20½, located on the northeasterly side of Ames St., then running in a northwesterly direction a distance of approximately 495' to handhole #1, located on the northeasterly side of Ames St., & then continuing in a northwesterly direction a distance of approximately 535' to a point on the northeasterly side of Ames St., **APPROVED**; adopted.

Councilor Elder requested to be recorded in opposition.

ORDERED: There being no further business, the regular meeting of the City Council is herewith adjourned at 8:30 PM.